

DECLARATION

As a below named inventor, I hereby declare that:

My residence, post office address and citizenship are as stated below next to my name.

I believe I am the original, first and sole inventor of the subject matter which is claimed and for which a patent is sought on the invention entitled

LEARNING SYSTEM WITH LEARNER-CONSTRUCTED
RESPONSE BASED TESTING METHODOLOGY

the specification of which is attached hereto.

I hereby state that I have reviewed and understand the contents of the above identified specification, including the claims.

I acknowledge the duty to disclose to the United States Patent and Trademark Office all information known to me to be material to patentability as defined in Title 37, Code of Federal Regulations, § 1.56.

POWER OF ATTORNEY: As a named inventor, I hereby appoint the following attorneys and/or agents to prosecute this application and transact all business in the U.S. Patent and Trademark Office connected therewith.

Theodore Baroody	Reg. No. 45,417	Christopher R. Kosh	Reg. No. 42,760
Jeffrey M. Becker	Reg. No. 35,442	Michael J. Balconi-Lamica	Reg. No. 34,291
James R. Bell	Reg. No. 26,528	Todd Mattingly	Reg. No. 40,298
Daniel E. Burke	Reg. No. 46,588	David L. McCombs	Reg. No. 32,271
L. Howard Chen	Reg. No. 46,615	John W. Montgomery	Reg. No. 31,124
Randall E. Colson	Reg. No. 40,566	Bill R. Naifeh	Reg. No. 44,962
Michael A. Davis, Jr.	Reg. No. 35,488	David M. O'Dell	Reg. No. 42,044
Ruben C. DeLeon	Reg. No. 37,812	Michael D. Pegues	Reg. No. 38,993
Brian J. Hubbard	Reg. No. 45,873	Phillip B. Philbin	Reg. No. 35,979
Rita M. Irani	Reg. No. 31,028	Constance M. Pielech	Reg. No. 46,991
Warren B. Kice	Reg. No. 22,732	Brandi W. Sarfatis	Reg. No. 37,713

The above attorneys have full power of substitution and revocation to prosecute this application and to transact all business in the U.S. Patent and Trademark Office connected therewith; and I request that all correspondence be directed to **David L. McCombs**, Haynes and Boone, LLP, 901 Main Street, Suite 3100, Dallas, TX 75202-3789.

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

Full name of sole inventor: *Dennis Ray Berman*

Inventor's signature: *[Signature]* Date: Oct 17, 2000

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Citizenship: USA

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